

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:22-cr-44

vs.

FRANKLIN HUMPHRYS,

District Judge Michael J. Newman

Defendant.

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**ORDER: (1) GRANTING DEFENDANT FRANKLIN HUMPHRYS' UNOPPOSED REQUEST TO CONTINUE; (2) EXCLUDING THE TIME FROM OCTOBER 28, 2022 UNTIL DECEMBER 12, 2022 FROM THE SPEEDY TRIAL ACT CALCULATION; (3) FINDING THAT THE NEW SPEEDY TRIAL ACT DEADLINE IS JANUARY 3, 2023; AND (4) REQUIRING THE PARTIES TO JOINTLY FILE A STATUS REPORT BY DECEMBER 5, 2022**

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This criminal case comes before the Court on Defendant Franklin Humphrys' unopposed oral request to continue for 45 days. Mr. Humphrys' counsel requested the continuance during the teleconference held on October 19, 2022 at 2:30 P.M. The Court hereby **GRANTS** Mr. Humphrys' request to continue.

The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting the requested continuance and that such continuance outweighs the best interest of the public and defendant in a speedy trial. Failure to grant the requested continuance would deny both the government and defendant the time necessary for effective preparation (such as having witnesses available to testify at trial), and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7). Thus, the time from **October 28, 2022 until December 12, 2022** (45 days) is **EXCLUDED** in computing the time period set forth in 18 U.S.C. § 3161 within which the United States must bring Defendant

to trial. Accounting for the time excluded from the Speedy Trial Act calculation, the new **Speedy Trial Act deadline** in the instant case is **January 3, 2023**.<sup>1</sup>

The Court **ORDERS** the parties to jointly file a status report by **December 5, 2022**. If either party needs an additional continuance, they must make that request within the status report.

**IT IS SO ORDERED.**

October 19, 2022

s/Michael J. Newman

Hon. Michael J. Newman  
United States District Judge

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<sup>1</sup> If counsel disagrees with this calculation, counsel shall contact the Court with their Speedy Trial Act calculation and deadline.